

McDermott Will & Emery

Boston Brussels Chicago Düsseldorf London Los Angeles Miami Milan
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Christine M. Gill
Attorney at Law
cgill@mwe.com
202.756.8283

March 9, 2006

Filed Electronically

Marlene H. Dortch
Secretary
Federal Communications Commission
Office of the Secretary
445 Twelfth Street, SW
Washington, D.C. 20554

Re: Notice of *Ex Parte* Presentation, WT Docket No. 05-265

Dear Ms. Dortch:

On March 8, 2006, Michael D. Rosenthal and Holly Henderson of SouthernLINC Wireless, Christine M. Gill and David Rines of McDermott Will & Emery, LLP, and David Salant of the ERS Group met with Fred Campbell, Legal Advisor to Chairman Kevin J. Martin, to discuss the above-referenced proceeding.

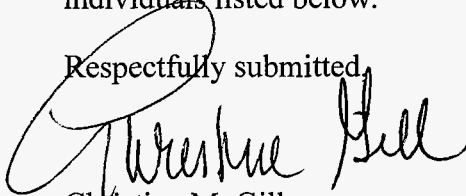
We discussed the position of SouthernLINC Wireless that automatic roaming is, above all, an issue of consumer access, and the broad consensus among regional and rural CMRS providers regarding the need for Commission action in this docket to ensure the availability of automatic roaming for US consumers. We discussed the issues addressed in SouthernLINC Wireless' filings in this docket and described how SouthernLINC Wireless' proposals provide an economically sound and minimally intrusive means of addressing the issues raised in this proceeding by establishing bright line presumptions that will serve to facilitate commercial negotiation of roaming agreements and encourage efficient investment in wireless infrastructure and services.

We also provided Mr. Campbell with a copy of the "CMRS Roaming Principles," a copy of which is attached hereto.

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In accordance with the Commission's rules, one copy of this *ex parte* notice is filed electronically for inclusion in the record of the above-referenced proceeding, with copies to the individuals listed below.

Respectfully submitted,



Christine M. Gill

Attachment

cc: Fred Campbell

CMRS Roaming Principles

Roaming services are an essential component of mobile telecommunications services and fulfill an important public safety role. Ensuring that consumers have near ubiquitous access to roaming services, no matter where they travel, is in the public interest. Access to roaming services is particularly critical for consumers who are underserved or who live in rural and remote areas with fewer competitive options. Access to roaming services fosters competition in the wireless market and encourages new entrants. Given the importance of roaming services, the FCC should adopt rules to facilitate automatic roaming for all wireless customers based upon the following principles:

- Carriers must provide in-bound automatic roaming (i.e., permitting another carrier's customers to roam onto its network) to any requesting carrier with a technologically compatible air interface. All services that a carrier is currently offering (e.g., voice, data, dispatch) must be offered to a requesting carrier with a technologically compatible air interface.
- Carriers must provide in-bound automatic roaming services under rates, terms and conditions that are just, reasonable and non-discriminatory. In this respect, the FCC clarifies that Sections 201 and 202 do apply to roaming services.
- Carriers must negotiate in good faith.
 - FCC involvement is required only if a complaint is filed.
- The §208 complaint process should be strengthened to ensure it is an effective avenue for redress. To do so the FCC should incorporate the following presumptions:
 - A reasonable rate presumption. FCC should adopt the presumption that a just and reasonable wholesale rate for roaming cannot be higher than the carrier's best retail rate or average retail rate per minute.
 - A technical feasibility presumption. If a carrier is already providing roaming service (data, voice, dispatch) to other carriers using the same air interface then the roaming service will be presumed to be technically feasible (shifting the burden of proving it is not technically feasible)
 - A rapid response mechanism. Because of the competitive nature of the wireless industry, complaints cannot be allowed to languish indefinitely. Therefore, roaming complaints will be placed on the Enforcement Bureau's Accelerated Docket under Section 1.730 of the Commission's Rules.